



Water Quality NewsFlash

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State Implementation Policy – Scoping meeting planned – The Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California is commonly known as the State Implementation Policy or SIP. The SIP describes how the state will use the water quality criteria (objectives) for toxic pollutants in writing NPDES permits. The SIP addresses such issues as the statistical approach for calculating effluent limits and the appropriate use of dilution factors. The pollutants included in the SIP consist of the 126 priority toxic pollutants which have criteria set by U.S. EPA in the *California Toxics Rule* (CTR), as well as the objectives for toxic pollutants in each Regional Board's Basin Plan. The SIP does not apply to ocean discharges or to stormwater discharges.

The State Water Resources Control Board (SWRCB) will hold a public meeting on November 12, 2004 to seek input on what environmental information should be included in the draft of the Functional Equivalent Document which will be prepared for proposed revisions to the SIP. (A "FED" is used to comply with environmental requirements.) The three issues in consideration are:

- Allow for the *Water Effects Ratio* (WER) to be utilized for individual permits, rather than only on a watershed basis (this loosens objectives for metals if local conditions permit);
- Eliminate the "reasonable potential" trigger for situations where ambient background concentrations are greater than criteria (this reduces the number of constituents needing effluent limits in a permit; currently if a pollutant has been detected in a waterway at levels greater than WQ criteria, then all permits must have an effluent limit for the pollutant); and
- Clean-up non-regulatory language.

Comments are due Nov 12. A second policy document (SIP II), which has not been issued, is intended to address stormwater. The current SIP and proposed revisions are posted at: <http://www.swrcb.ca.gov/iswp/index.html>

303(d) List for 2004 – List to be released first half of 2005 - On April 30, 2004, the State Board issued a public solicitation for the 2004 303(d) list of impaired waters. The state requested numeric data and information from interested parties regarding water quality conditions in surface waters in California. The State plans to use this data, in combination with the new listing policy (see *NewsFlash 04-42*), to assess the State's water bodies for possible inclusion on, or removal from, the existing (2002) list. An unexpectedly high volume of data was submitted in response to the solicitation. In addition to the data evaluation, all currently listed waters/pollutants need to be reassessed using the factors in the new policy. Consequently, the draft 2004 list will not be issued until at least a few months into 2005. Typically, many comments are submitted after the State Board publishes the draft list and consequently the final list may not be adopted until later in 2005. This final list must then go to U.S. EPA, Region IX, which has added waterways/pollutants to the previous lists. The current list: http://www.swrcb.ca.gov/tmdl/303d_lists.html

WQ NewsFlash is a weekly update of storm water and related news for the Department. *Verify information before taking action on these bulletins.* Contact Betty Sanchez, Betty_Sanchez@dot.ca.gov (916) 653-2115, or Fred Krieger, (510) 843-7889, fkrieger@msn.com with questions or to be added or deleted from e-mail list. Posted online at: <http://www.dot.ca.gov/hq/env/stormwater/publicat/newsflash/index.htm>